

**Stanislaus County
Juvenile Justice Commission
August 18, 2022 – Probation Department**

Members Present: Marian Martino, Chair; Stephen Ashman, Captain Scott Houston, Dawn Cullum, Wanda Bonnell

Members Excused: Michael Baldwin, Vice Chair; Sharma Uma; Lieutenant Fidel Landeros

Probation Department Present: Chief Probation Officer Mark Ferriera

Superior Court: No members present

Call to Order: Chairperson Marian Martino called the meeting to order at 12:04 p.m.

Public Comment: No public comment

Approval of Minutes: MOTION: Dawn Cullum made the motion with one change: “Dawn Cullum will be returning as a *Conflict Attorney* to the Juvenile Courts on July 1, 2022.”
SECOND: Captain Scott Houston. The minutes with the one change from the June 16, 2022, meeting were approved.

Probation Department Report:

Chief Probation Officer Mark Ferriera advised that the Juvenile Institutions’ current population is 60 youth with 8 females and 52 males. Additionally, he provided the following updates:

- 20 post adjudication youth; youth sentenced and serving their time. 40 youth are still going through the Court process.
- Effects of SB 823 Law Change in terms of age. SB 823 shifts the responsibility of Department of Juvenile Justice to Probation holding these particular youth rather than sending them to the State Department of Juvenile Justice. Probation can potentially hold youth up until their 25th birthday. Prior to SB 823 passing when someone would turn 19 years old, they would be housed at the jail.
 - 3 of the 60 youth are 19 years old and are waiting for their cases to be adjudicated. They have been charged with either homicide or attempted homicide and all with a firearm.
 - 2 are being tried as adults. 1 is awaiting a transfer hearing to determine if he should be tried as a juvenile or as an adult.
 - 2 of the 3 youth are programming very well, mature and taking classes at Modesto Junior College. The 3rd youth isn’t performing quite to that level but not overly problematic.

- 14 youth are 18 years old. 17 out of the 60 youth in our facility are either 18 or 19 years old.
- Youth in custody 300 days or more:
 - 7 out of the 60 youth have been in custody over 300 days
 - 1 out of the 60 youth has been in custody 850 days
 - Of the youth who have been in custody 300 days or more, all 7 are facing attempted homicide or homicide charges
 - 6 out of the 7 youth are awaiting transfer to determine if they should be tried as an adult or a juvenile or are already being tried as an adult. 4 youth are pending transfer hearings and 3 youth are being tried as adults.
- Average monthly bookings in 2022 is 20. To compare, there were 20 in 2021 and 24 in 2020.
- Average daily population in 2022 is 52. To compare, there were 52 in 2021 and 60 in 2020.
- 3 out of the 60 youth have been ordered into Group Home or Foster Home placement and are detained in Juvenile Hall. One youth is not eligible for release until November. A second youth is not eligible for release until October. The third youth is eligible to leave at any point. However, we are having difficulty getting the youth placed. Probation is doing everything they can to get this youth released into the proper care.
- Update regarding Wellpath taking over mental health care. The contract with Wellpath is going extremely well. Wellpath is responsive to our needs in a timely manner and communicating with Probation staff. The kids are adapting well to them. There are currently 2 clinicians. We are contracted for a 3rd and are attempting to hire someone to fill that position. The youth can be seen by a clinician at the request of staff, in both non-urgent and urgent situations. Youth can also request to be seen. All urgent situations will be prioritized. The clinicians' schedule will be provided at the next meeting.
- Will youth who have been prescribed medication prior to custody be able to take their medication right away or will they need the Psychiatrist's approval first? Chief Ferriera to look into this matter.
- Declared Wards: Wards are juveniles who are out of custody. The Court has placed them on formal probation and declared them wards of the Court. They are supervised by their Probation Officer. They have requirements such as notifying their Probation Officer of any change of address; submitting to searches of their person or homes and may be directed to do counseling. As of today, we have 173 wards. To compare, there were 228 in 2021 and 249 in 2020.

- Citations: When a juvenile commits a crime whether it's a misdemeanor or felony, the Officer could "Cite and Release" or "Cite and Book" into Juvenile Hall. In April 2022, there was an unusual spike in citations. It appears to be a one-time thing. There were over 50 citations in April. In May, there were 30 citations, 32 in June and 20 in July.
- Pending Legislation: Assembly Bill 503. This bill has passed in the assembly and is with the other House. This bill would put youth on probation as a ward for a period not to exceed 6 months unless by a preponderance of the evidence, during a Court-noticed hearing, a Court would find it in the ward's best interest to extend probation past 6 months. No language in the bill that addresses Juvenile Hall time, release, or violations, which is problematic.
- Tracie Martin, Superintendent, is taking in a lot of information and is doing very well. Attorney Dawn Cullum had a positive interaction with Tracie and expressed her gratitude for Tracie's active concern for Dawn's client.

Report out:

- Attorney Dawn Cullum requested a meeting be set up between the District Attorney, Probation, Public Defender, and Juvenile Courts on how discovery is provided to attorneys.

The next Juvenile Justice Commission meeting is scheduled for October 20, 2022, which will be the annual Juvenile Hall tour. Plan to meet in the lobby.

The Juvenile Justice Commission meeting will plan to do the inspections of the youth holding facilities at Modesto Police Department and Oakdale Police Department in November.

Chief Ferriera stated he will get back to this Commission regarding the medication question.

The meeting was adjourned at 12:50 p.m.